

Message Text

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ACTION IO-11

INFO OCT-01 ARA-10 EUR-12 ISO-00 AF-06 EA-09 NEA-10

CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03 NSAE-00 NSC-05

PA-02 PRS-01 SP-02 SS-15 USIA-15 ACDA-10 /125 W

----- 076563

R 101933Z MAR 76

FM USMISSION USUN NY

TO SECSTATE WASHDC 6244

INFO AMEMBASSY BUENOS AIRES

AMEMBASSY LONDON

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E.O. 11652: N/A

TAGS: PFOR, UN, UK, AR, FA

SUBJ: FALKLAND ISLANDS

UN SECRETARIAT HAS CIRCULATED AS COMMITTEE OF 24
DOCUMENT A/AC.109/518 FOLLOWING LETTER DATED 3 MARCH 1976
FROM UK PERM REP TO COMMITTEE OF 24 CHAIRMAN CONCERNING
FALKLAND ISLANDS:

QUOTE:

A/AC.109/518

1. I HAVE THE HONOUR TO REFER, ON INSTRUCTIONS FROM MY
GOVERNMENT, TO THE QUESTION OF THE FALKLAND ISLANDS, AND
IN PARTICULAR TO THE LETTER OF 27 JANUARY TO YOU FROM THE
PERMANENT REPRESENTATIVE OF ARGENTINA WHICH HAS BEEN CIRCULATED
TO THE MEMBERS OF THE SPECIAL COMMITTEE IN DOCUMENT A/AC.109/511.

2. THE DECLARATION ADOPTED BY THE INTER-AMERICAN JURIDICAL
COMMITTEE OF THE ORGANIZATION OF AMERICAN STATES DATED 16
JANUARY 1976, WHICH WAS ANNEXED TO THAT LETTER, SETS
OUT IN SUMMARY FORM THE LEGAL AND HISTORICAL CLAIM OF THE
ARGENTINE GOVERNMENT.

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3. THE DECLARATION REACHES FOUR CONCLUSIONS. THE GOVERNMENT OF THE UNITED KINGDOM REJECTED EACH OF THEM. FIRST, THERE CAN BE NO DOUBT OF BRITISH SOVEREIGNTY OVER THE FALKLAND ISLANDS. SECONDLY, AND ACCORDINGLY, THE GOVERNMENT OF THE UNITED KINGDOM WERE MANIFESTLY WITHIN THEIR RIGHTS IN SETTING UP A SURVEY OF THE ECONOMY OF THE ISLANDS, LED BY LORD SHACKLETON. (IN THIS RESPECT IT MAY BE OBSERVED THAT GENERAL ASSEMBLY RESOLUTIONS 2065 (XX) OF 16 DECEMBER 1965 AND 3160 (XXVIII) OF 14 DECEMBER 1973 DO NOT TOUCH UPON THE MATTER OF INNOVATIONS, UNILATERAL OR OTHERWISE.) THIRDLY, THE ONLY BRITISH NAVAL VESSEL IN THE AREA FOR SOME YEARS HAS BEEN HMS ENDURANCE, AN ICE PATROL SHIP, WHOSE PRESENCE IS WELL KNOWN TO THE ARGENTINE GOVERNMENT. FINALLY, THE GOVERNMENT OF THE UNITED KINGDOM STRONGLY DENY THE UNFOUNDED CHARGE THAT THEY HAVE COMMITTED ANY HOSTILE CONDUCT EITHER TOWARDS ARGENTINA OR OTHER COUNTRIES OF THE CONTINENT.

4. MY GOVERNMENT DO NOT ACCEPT THAT RESOLUTIONS 2065 (XX) AND 3160 (XXVIII) ENTAIL A COMMITMENT ON THEIR PART TO TRANSFER SOVEREIGNTY OVER THE FALKLAND ISLANDS. THEY HAVE WORKED WITHIN THE SPIRIT OF THOSE RESOLUTIONS TO RESOLVE THEIR DIFFERENCES WITH THE GOVERNMENT OF ARGENTINA OVER THE FUTURE OF THE FALKLAND ISLANDS. BUT THEY CANNOT AGREE TO ANY SETTLEMENT OF THOSE DIFFERENCES WHICH IS NOT IN ACCORDANCE WITH THE WISHES OF THE ISLANDERS.

5. THE RESIDENT POPULATION OF THE ISLANDS IS ENTIRELY BRITISH AND HAS BEEN SO FOR MANY YEARS. IT IS THE VIEW OF THE GOVERNMENT OF THE UNITED KINGDOM THAT RESPECT SHOULD BE ACCORDED TO THE WISHES OF THE ISLANDERS, IN ACCORDANCE WITH THE PRINCIPLE OF SELF-DETERMINATION WHICH IS ENUNCIATED IN THE CHARTER OF THE UNITED NATIONS AND IN GENERAL ASSEMBLY RESOLUTION 1514 (XV) OF 14 DECEMBER 1960, AND WHICH MY GOVERNMENT HAVE CONSISTENTLY APPLIED IN THEIR DEALINGS WITH ALL THEIR DEPENDENT TERRITORIES. IT IS, SO FAR AS I AM AWARE, NOT QUESTIONED THAT IT IS THE FIRM WISH OF THE ISLANDERS TO REMAIN BRITISH. THE INTER-AMERICAN JURIDICAL COMMITTEE REFER TO THE INTERESTS OF THE ISLANDERS. THESE HAVE BEEN AN IMPORTANT CONSIDERATION IN THE AGREEMENTS REACHED BETWEEN

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THE GOVERNMENTS OF ARGENTINA AND THE UNITED KINGDOM FOR THE IMPROVEMENT OF COMMUNICATIONS AND OTHER RESOURCES AVAILABLE TO THE POPULATION AND, IN THE VIEW OF THE GOVERNMENT OF THE UNITED KINGDOM, WILL SIMILARLY BE AN IMPORTANT CONSIDERATION IN REGARD TO PROPOSALS FOR FURTHER DEVELOPMENTS OF A CO-OPERATIVE NATURE. SUCH CO-OPERATION NEED NOT BE CONFINED TO THE RESIDENT POPULATION ALONE; IT COULD EXTEND TO THE PEOPLE OF ARGENTINA. IT WOULD BE THE WISH OF THE

GOVERNMENT OF THE UNITED KINGDOM THAT THIS SHOULD BE SO.

6. IT MAY ALSO BE HELPFUL IF I COMMENT ON THE INCIDENT IN 1833, WHICH IS REFERRED TO IN THE PREAMBLE TO THE DECLARATION, WHEN BRITISH SOVEREIGNTY WAS CONFIRMED. IN JANUARY 1833, A BRITISH NAVAL VESSEL PEACEABLY REASSERTED BRITISH SOVEREIGNTY, WHICH WAS FIRST ESTABLISHED IN 1765. THERE IS NO SUBSTANCE IN THE SUGGESTION THAT A BRITISH CORVETTE "OUSTED BY VIOLENCE" THE ARGENTINE AUTHORITIES ESTABLISHED IN THE ISLANDS. THEY ONLY PERSONS SENT BACK TO ARGENTINA UNDER DURESS WERE THE RINGLEADERS OF A MUTINY THAT HAD OCCURRED AT THE SMALL BUENOS AYREAN SETTLEMENT. THE MUTINEERS HAD KILLED THEIR COMMANDER. THE COMMANDER OF A BUENOS AYREAN SCHOONER, WHICH WAS THERE AT THE TIME, HAD PLACED THESE MUTINEERS IN IRONS ABOARD A BRITISH SCHOONER, AND THEY WERE, AT HIS REQUEST, TAKEN TO BUENOS AIRES. SOME OF THE CIVILIAN INHABITANTS ELECTED TO BE REPATRIATED AND SOME CHOSE TO STAY BEHIND. NOT A SHOT WAS FIRED ON EITHER SIDE.

7. BUT THE ESSENTIAL POINT IN THIS MATTER, IN THE VIEW OF THE GOVERNMENT OF THE UNITED KINGDOM, IS EASILY VERIFIABLE. IT IS A DEMONSTRABLE FACT THAT SINCE 1833, THAT IS TO SAY FOR NEARLY A CENTURY-AND-A-HALF, A PERIOD WHICH COINCIDES VERY CLOSELY WITH THE PERIOD DURING WHICH THE NATION STATES OF LATIN AMERICA HAVE BEEN ABLE TO ASSERT THEIR OWN RIGHT TO SELF-DETERMINATION, THE UNITED KINGDOM HAS MAINTAINED AN OPEN, CONTINUOUS, EFFECTIVE AND PEACEFUL POSSESSION OF THE FALKLAND ISLANDS. THERE HAVE BEEN, OF COURSE, NUMEROUS DIPLOMATIC EXCHANGES BETWEEN MY GOVERNMENT AND THAT OF ARGENTINA DURING THIS PERIOD, BUT THESE HAVE NOT AFFECTED THE CONTINUED EXERCISE OF BRITISH SOVEREIGNTY. THE POPULATION OF THE ISLANDS, WHICH HAD VARIED BETWEEN 25 AND 150 IN THE THE PERIOD 1831-1832, HAD RISEN TO 600 IN 1850 AND HAD DOUBLED

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BY 1885. IT NOW STANDS AT SOME 1,800.

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CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03 NSAE-00 NSC-05

PA-02 PRS-01 SP-02 SS-15 USIA-15 ACDA-10 /125 W

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R 101933Z MAR 76

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8. A TEAM OF ECONOMISTS AND OTHER PROFESSIONAL ADVISERS, UNDER THE CHAIRMANSHIP OF LORD SHACKLETON, VISITED THE ISLANDS IN JANUARY 1976 FOR THE PURPOSE OF MAKING AN INDEPENDENT ECONOMIC SURVEY IN ACCORDANCE WITH TERMS OF REFERENCE PROVIDED BY THE GOVERNMENT OF THE UNITED KINGDOM, AND IN ACCORDANCE WITH THAT GOVERNMENT'S UNDOUBTED RIGHT TO ADMINISTER THE ISLANDS. THE GOVERNMENT OF THE UNITED KINGDOM NOTIFIED THE GOVERNMENT OF ARGENTINA IN ADVANCE OF THEIR INTENTION TO APPOINT THIS INDEPENDENT SURVEY AND MADE A NUMBER OF SUGGESTIONS TO THE GOVERNMENT OF ARGENTINA WHICH WOULD HAVE ENABLED THE SURVEY TO BE CARRIED FORWARD ON A CO-OPERATIVE BASIS. THEY ALSO OFFERED TO MAKE THE FULL RESULTS OF THE SURVEY AVAILABLE TO THE ARGENTINE GOVERNMENT IN ADVANCE. IT IS PARTICULARLY THE HOPE OF THE GOVERNMENT OF THE UNITED KINGDOM THAT THE SURVEY WILL HAVE SUCCEEDED IN IDENTIFYING PROSPECTS OF DEVELOPMENT WHICH WOULD PRESENT OPPORTUNITIES FOR ECONOMIC CO-OPERATION BETWEEN THE FALKLAND ISLANDS AND ARGENTINA.

9. THE ROYAL NAVY ICE PATROL VESSEL HMS ENDURANCE HAS FOR A NUMBER OF YEARS BEEN BASED ON THE FALKLAND ISLANDS DURING THE MONTHS OF THE ANTARCTIC SUMMER, PRIMARILY FOR THE PURPOSE OF CARRYING OUT A SCIENTIFIC RESEARCH PROGRAMME. THE VESSEL HAS A LIMITED DEFENCE CAPABILITY.
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SHE IS WELL KNOWN TO THE ARGENTINES AND HAS FREQUENTLY ENJOYED THE HOSPITALITY OF ARGENTINE PORTS. IT IS OCCASIONALLY CONVENIENT FOR OTHER VESSELS OF THE ROYAL NAVY TO VISIT THE FALKLANDS: SUCH CALLS ARE NOT FREQUENT AND IN NO WAY CONSTITUTE A THREAT TO THE PEACE AND SECURITY OF THE CONTINENT. THE ROYAL NAVY ENJOYS HISTORIC AND FRIENDLY LINKS WITH NAVIES OF SOUTH AMERICAN COUNTRIES, AND ITS VESSELS HAVE NEVER BEEN REGARDED AS A THREAT BY THEM.

10. WHILE MY GOVERNMENT REGRET THE SITUATION WHICH HAS LED TO THE RECALL OF THE HEADS OF MISSION OF THE TWO GOVERNMENTS, THEY DO NOT CONSIDER THAT THIS RECALL HAS GIVEN RISE TO A STATE OF TENSION. THE GOVERNMENT OF ARGENTINA SUGGESTED ON 13 JANUARY LAST TO MY GOVERNMENT THAT THE BRITISH AMBASSADOR SHOULD BE RECALLED. SHORTLY AFTERWARDS MY GOVERNMENT RECALLED HIM FOR CONSULTATIONS. THE GOVERNMENT OF THE UNITED KINGDOM ARE READY TO INSTRUCT HIM TO RETURN AS SOON AS CONDITIONS ARE APPROPRIATE.

11. IN THE VIEW OF THE GOVERNMENT OF THE UNITED KINGDOM, ALL DIFFERENCES BETWEEN THEM AND THE GOVERNMENT OF ARGENTINA CONCERNING THE FALKLAND ISLANDS CAN BE RESOLVED PEACEFULLY BY CONTINUING THE DISCUSSIONS WHICH THE TWO GOVERNMENTS HAVE PREVIOUSLY UNDERTAKEN FOLLOWING THE PASSING OF GENERAL ASSEMBLY RESOLUTIONS 2065 (XX) AND 3160 (XXVIII). THE DECLARATION 1/ REFERS TO THE UNITED KINGDOM'S UNILATERAL DISRUPTION OF NEGOTIATIONS WITHIN THE FRAMEWORK OF THESE RESOLUTIONS. IN DISCUSSING THE QUESTION OF THE FALKLANDS WITH THE ARGENTINE GOVERNMENT, THE GOVERNMENT OF THE UNITED KINGDOM HAVE BEEN CONSTRAINED ONLY BY THE NEED TO RESPECT THE WISHES OF THE FALKLAND ISLANDERS IN ACCORDANCE WITH GENERAL ASSEMBLY RESOLUTION 1514 (XV).

12. I SHOULD BE GRATEFUL IF YOU WOULD MAKE ARRANGEMENTS FOR THIS LETTER TO BE CIRCULATED AS AN OFFICIAL DOCUMENT OF THE SPECIAL COMMITTEE.

IVOR RICHARD

1/ SEE PARA. 2 ABOVE.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DOCUMENTS, TEXT, TERRITORIAL CLAIMS, DIPLOMATIC COMMUNICATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 10 MAR 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976USUNN00934
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760091-0161
From: USUN NEW YORK
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760373/aaaacmug.tel
Line Count: 264
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION IO
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: ShawDG
Review Comment: n/a
Review Content Flags:
Review Date: 26 AUG 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <26 AUG 2004 by meiwc>; APPROVED <09 DEC 2004 by ShawDG>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: FALKLAND ISLANDS UN SECRETARIAT HAS CIRCULATED AS COMMITTEE OF 24
TAGS: PFOR, UK, AR, FA, UN, COMMITTEE OF 24, (RICHARD, IVOR)
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006